

REMARKS

The Examiner objected to claims 10-11 of improper dependent form failing to further limit the subject matter of a previous claim.

The Examiner rejected claims 10-11 under 35 U.S.C. § 112, second paragraph.

The Examiner rejected claims 3-9 and 12-14 under 35 U.S.C. § 102(c) as allegedly being anticipated by Lindeman *et al.* (US 2003/0009698).

The Examiner rejected claims 3-4 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fischer (US 2002/0010638) and further in view of Bando *et al.* (US 6,405,244).

Applicants respectfully traverse claim objections, the § 112, rejections, the §102(c) rejections, and the §103(a) rejections with the following arguments.

Claim Objections

The Examiner objected to claims 10-11 under 37 CFR § 1.75 (c) as allegedly being of improper dependent form failing to further limit the subject matter of a previous claim.

The Examiner argues: "These claims recite reading memory but fail to do anything with the memory read or even say what information is read at the specific address. Therefore no patentable weight is given to reading memory without other steps."

In response, Applicants respectfully contend that the objection to claims 10-11 is moot, since the amended claims 10-11 comprise "other steps".

35 U.S.C. §112, Second Paragraph

The Examiner rejected claims 10-11 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner argues: "Claims 10-11 rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: telling what is read from memory at the address and what is done with that information."

In response, Applicants respectfully contend that the rejection to claims 10-11 under 35 U.S.C. § 112, second paragraph is moot, since the amended claims 10-11 tell what is read from memory at the address and what is done with that information.

35 U.S.C. § 102(c)

The Examiner rejected claims 3-9 and 12-14 under 35 U.S.C. § 102(c) as allegedly being anticipated by Lindeman *et al.* (US 2003/0009698).

Claims 3-5

Applicants respectfully contend that Lindeman does not anticipate claim 3, because Lindeman does not teach each and every feature of claim 3. For example, Lindeman does not teach the features: "storing an authentication key associated with an originator in a **memory of the originator**; reading the authentication key from the **memory of the originator**; preparing electronic mail for sending from the originator to a recipient, said preparing comprising including the authentication key, that had been read from the **memory of the originator**, in an open field of the electronic mail"(emphasis added).

Applicants respectfully contend that Lindeman does not disclose the preceding features of claim 3 relating to the "memory of the originator". Lindeman's invention relates to a spam filter of the recipient and Lindeman teaches very few details about the originator. Lindeman most certainly does not teach anything about the memory of the originator.

Based on the preceding arguments, Applicants respectfully maintain that Lindeman does not anticipate claim 3, and that claim 3 is in condition for allowance. Since claims 4 and 5 depend from claim 3, Applicants contend that claims 4 and 5 are likewise in condition for allowance.

Claim 6

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Applicants respectfully contend that Lindeman does not anticipate claim 6, because Lindeman does not teach each and every feature of claim 6.

As a first example of why does not anticipate claim 6, Lindeman does not teach the feature: "storing an authentication key in a memory of a recipient of the electronic mail at an address that is dependent upon a source identifier that identifies an originator of the electronic mail".

As a second example of why does not anticipate claim 6, Lindeman does not teach the feature: "wherein said determining whether the authentication key is associated with the originator includes: reading the stored authentication key from the address at the memory of the recipient, and comparing the authentication key with the stored authentication key that had been read from the address at the memory of the recipient to determine whether the authentication key is associated with the originator".

Based on the preceding arguments, Applicants respectfully maintain that Lindeman does not anticipate claim 6, and that claim 6 is in condition for allowance. Since claim 7 depends from claim 6, Applicants contend that claim 7 is likewise in condition for allowance.

Claim 8

Applicants respectfully contend that Lindeman does not anticipate claim 8, because Lindeman does not teach each and every feature of claim 8.

As a first example of why does not anticipate claim 8, Lindeman does not teach the feature: "determining whether an authentication key is expected to be present in an open field of the electronic mail". Applicants maintain that the preceding feature is not shown anywhere in the

flow chart of FIG. 7 of Lindeman. Applicants respectfully request that the Examiner identify a step in FIG. 7 of Lindeman that allegedly discloses the preceding feature of claim 8.

As a second example of why does not anticipate claim 8, Lindeman does not teach the feature: "responsive to determining that the authentication key is expected to be present, determining whether the authentication key is present". As can be seen from the preceding feature of claim 8, the step of determining whether an authentication key is expected to be present in an open field of the electronic mail and the step of determining whether the authentication key is present are two distinct step. Applicants respectfully request that the Examiner identify the preceding two distinct steps of claim 8 in FIG. 7 of Lindeman.

As a third example of why does not anticipate claim 8, Lindeman does not teach the feature: "responsive to determining that the authentication key is not expected to be present, accepting the electronic mail".

Based on the preceding arguments, Applicants respectfully maintain that Lindeman does not anticipate claim 8, and that claim 8 is in condition for allowance.

Claim 9

Applicants respectfully contend that Lindeman does not anticipate claim 9, because Lindeman does not teach each and every feature of claim 9.

As a first example of why does not anticipate claim 9, Lindeman does not teach the feature: "determining whether an authentication key is expected to be present in an open field of the electronic mail". Applicants maintain that the preceding feature is not shown anywhere in the flow chart of FIG. 7 of Lindeman. Applicants respectfully request that the Examiner identify a

step in FIG. 7 of Lindeman that allegedly discloses the preceding feature of claim 9.

As a second example of why does not anticipate claim 9, Lindeman does not teach the feature: "responsive to determining that the authentication key is expected to be present, determining whether the authentication key is present". As can be seen from the preceding feature of claim 9 the step of determining whether an authentication key is expected to be present in an open field of the electronic mail and the step of determining whether the authentication key is present are two distinct step. Applicants respectfully request that the Examiner identify the preceding two distinct steps of claim 9 in FIG. 7 of Lindeman.

As a third example of why does not anticipate claim 9, Lindeman does not teach the feature: "responsive to determining that the authentication key is not present, rejecting the electronic mail". If in Lindeman the authentication key is a tunnel password, then responsive to step 704 having determined that the tunnel password is not present: step 708 is performed and step 708 does not teach rejecting the electronic mail as required by claim 9. If in Lindeman the authentication key is a CZID, then responsive to step 708 having determined that the CZID is not present: step 724 is performed and step 724 does not teach rejecting the electronic mail as required by claim 9.

As a fourth example of why does not anticipate claim 9, Lindeman does not teach the feature: "responsive to determining that the authentication key is not associated with the originator, rejecting the electronic mail".

Based on the preceding arguments, Applicants respectfully maintain that Lindeman does not anticipate claim 9, and that claim 9 is in condition for allowance.

Claim 13

Applicants respectfully contend that Lindeman does not anticipate claim 13, because Lindeman does not teach each and every feature of claim 13.

As a first example of why does not anticipate claim 13, Lindeman does not teach the feature: "determining whether an authentication key is expected to be present in an open field of the electronic mail". Applicants maintain that the preceding feature is not shown anywhere in the flow chart of FIG. 7 of Lindeman. Applicants respectfully request that the Examiner identify a step in FIG. 7 of Lindeman that allegedly discloses the preceding feature of claim 13.

As a second example of why does not anticipate claim 13, Lindeman does not teach the feature: "responsive to determining that the authentication key is expected to be present, determining whether the authentication key is present". As can be seen from the preceding feature of claim 13, the step of determining whether an authentication key is expected to be present in an open field of the electronic mail and the step of determining whether the authentication key is present are two distinct step. Applicants respectfully request that the Examiner identify the preceding two distinct steps of claim 13 in FIG. 7 of Lindeman.

As a third example of why does not anticipate claim 13, Lindeman does not teach the feature: "responsive to determining that the authentication key is not present in the open field of the electronic mail, rejecting the electronic mail". If in Lindeman the authentication key is a tunnel password, then responsive to step 704 having determined that the tunnel password is not present: step 708 is performed and step 708 does not teach rejecting the electronic mail as required by claim 13. If in Lindeman the authentication key is a CZID, then responsive to step 708 having determined that the CZID is not present: step 724 is performed and step 724 does not

teach rejecting the electronic mail as required by claim 13.

Based on the preceding arguments, Applicants respectfully maintain that Lindeman does not anticipate claim 13, and that claim 13 is in condition for allowance.

Claim 14

Applicants respectfully contend that Lindeman does not anticipate claim 14, because Lindeman does not teach each and every feature of claim 14.

As a first example of why does not anticipate claim 14, Lindeman does not teach the feature: "determining whether an authentication key is expected to be present in an open field of the electronic mail". Applicants maintain that the preceding feature is not shown anywhere in the flow chart of FIG. 7 of Lindeman. Applicants respectfully request that the Examiner identify a step in FIG. 7 of Lindeman that allegedly discloses the preceding feature of claim 14.

As a second example of why does not anticipate claim 14, Lindeman does not teach the feature: "responsive to determining that the authentication key is not expected to be present, accepting the electronic mail".

As a third example of why does not anticipate claim 14, Lindeman does not teach the feature: "responsive to determining that the authentication key is expected to be present, determining whether the authentication key is present". As can be seen from the preceding feature of claim 14, the step of determining whether an authentication key is expected to be present in an open field of the electronic mail and the step of determining whether the authentication key is present are two distinct step. Applicants respectfully request that the Examiner identify the preceding two distinct steps of claim 14 in FIG. 7 of Lindeman.

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As a fourth example of why does not anticipate claim 14, Lindeman does not teach the feature: "responsive to determining that the authentication key is not present, rejecting the electronic mail". If in Lindeman the authentication key is a tunnel password, then responsive to step 704 having determined that the tunnel password is not present: step 708 is performed and step 708 does not teach rejecting the electronic mail as required by claim 14. If in Lindeman the authentication key is a CZID, then responsive to step 708 having determined that the CZID is not present: step 724 is performed and step 724 does not teach rejecting the electronic mail as required by claim 14.

Based on the preceding arguments, Applicants respectfully maintain that Lindeman does not anticipate claim 14, and that claim 14 is in condition for allowance.

35 U.S.C. §103(a)

The Examiner rejected claims 3-4 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fischer (US 2002/0010638) and further in view of Bando *et al.* (US 6,405,244).

Applicants respectfully contend that claim 3 is not unpatentable over Fischer and further in view of Bando, because Fischer and further in view of Bando does not teach or suggest each and every feature of claim 3. For example, Fischer and further in view of Bando does not teach or suggest the feature: "storing an authentication key associated with an originator in a memory of the originator; reading the authentication key from the memory of the originator; ... including the authentication key, that had been read from the memory of the originator, in an open field of the electronic mail".

The Examiner argues: "Fischer discloses ... including the authentication key in an open field of the electronic mail Fischer fails to disclose reading from a memory an authentication key associated with the originator. However, Bando *et al* teaches reading authentication information associated with the originator (see column 5 line 54 through column 6 line 6). At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Bando *et al*'s method of reading authentication information in the email authentication method of Fischer. Motivation to do so would have been to decide that falsification or alteration has not been performed (see Bando *et al* column 6 lines 1-6)."

In response, respectfully contend that the Examiner's argument for incorporating the alleged teaching of Bando into the system of Fischer is not persuasive, because the Examiner's citation in of Bando, col. 6 lines 1-6 does not provide motivation for having the authentication

key that is included in the open field of the electronic mail also be stored in a memory of the originator.

To the contrary, Bando, col. 5, line 66 - col. 6, lines 6 recites: "in receiving, the authentication decision section 54 decodes a digital signature attached to an electronic mail using the public-key to compare with a digital signature generated from an original document by the section for itself 54 using the one-way function, and when those digital signatures coincides, decides that falsification or alternation is not performed".

Thus, the preceding quote from Bando shows that Bando does not teach that "decid[ing] that falsification or alteration is not performed" is attributed to storing the authentication key in a memory of the originator. Accordingly, Applicants maintain that the Examiner has not established a *prima facie* case of obviousness in relation to claim 3

Based on the preceding arguments, Applicants respectfully maintain that claim 3 is not unpatentable over Fischer and further in view of Bando, and that claim 3 is in condition for allowance. Since claim 4 depends from claim 3, Applicants contend that claim 4 is likewise in condition for allowance.

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 09-0457.

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